EXHIBIT 116

PUBLIC

	Page 1
1	
2	HIGHLY CONFIDENTIAL
3	
	IN THE UNITED STATES DISTRICT COURT
4	FOR THE EASTERN DISTRICT OF VIRGINIA
_	ALEXANDRIA DIVISION
5	X
6	UNITED STATES, et al.,
0	Plaintiffs,
7	riaincills,
,	vs. Case No.
8	1:23-cv-000108
	GOOGLE LLC,
9	
	Defendant.
10	x
11	
12	HIGHLY CONFIDENTIAL
13	VIDEOTAPED DEPOSITION OF BENNEASER JOHN
14	New York, New York
15 16	Friday, September 8, 2023 9:17 a.m.
17	J.II a.m.
18	
19	
20	
21	
22	
23	Reported by:
	Jennifer Ocampo-Guzman, CRR, CLR
24	JOB NO. 6082515
25	

Veritext Legal Solutions 973-410-4098

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1	Page 2	1	Page 4
$\frac{1}{2}$		1	ADDE AD ANCIEC (Continue 1)
2		2	APPEARANCES (Continued):
3		3	
4		4	ORRICK HERRINGTON & SUTCLIFFE LLP
5		5	Attorneys for nonparty Microsoft and the
6		6	Deponent
7		7	1152 15th Street, N.W.
8		8	Washington, D.C. 20005-1706
9	September 8, 2023	9	BY: EILEEN COLE, ESQ.
10	9:17 a.m.	10	ALLEN DAVIS, ESQ., (via Zoom)
11		11	
12		12	ALSO PRESENT:
13	HIGHLY CONFIDENTIAL	13	CARLOS RIVERA, Videographer
14	Videotaped Deposition of	14	, 2 1
15	BENNEASER JOHN, held at the offices of	15	
16	Paul, Weiss, Rifkind, Wharton &	16	
17	Garrison LLP, 1285 Avenue of the	17	
18	Americas, New York, New York, pursuant	18	
19	to subpoena, before Jennifer	19	
	-		
20	Ocampo-Guzman, a Certified Realtime	20	
21	Shorthand Reporter and Notary Public of	21	
22	the State of New York.	22	
23		23	
24		24	
25		25	
	Page 3		Page 5
1		1	HIGHLY CONFIDENTIAL
2 .	APPEARANCES:	2	THE VIDEOGRAPHER: Good morning
3		3	We are going on the record at 9:17 a.m.
4	UNITED STATES DEPARTMENT OF JUSTICE	4	on September 8, 2023. Please note that
5	Attorneys for Plaintiff United States	5	the microphones are sensitive and may
6	325 7th Street, Suite 300	6	pick up whispering and minor
7	Washington, DC 20004	7	conversations; and please mute your
8	BY: JEFFREY VERNON, ESQ.	8	phones at this time. Audio and video
9	KAITLYN BARRY, ESQ.	9	recording will continue to take place
		10	unless all parties agree to go off the
10	JEFF QUI, ESQ., (via Zoom)	11	record.
11	DALII WEIGG DIEWIND WHAPTON 6 CARRIGONALE	12	This is media unit number 1 of the
12	PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP		
13	Attorneys for Defendant Google LLC	13	video-recorded deposition of Benneaser
14	1285 Avenue of the Americas	14	John taken by counsel for defendant, in
15	New York, New York 10019	15	the matter of the United States of
16	BY: KAREN DUNN, ESQ.	16	America versus Google LLC, filed in the
17	ERICA SPEVACK, ESQ.	17	United States District Court, for the
18	WILLIAM ISAACSON, ESQ. (p.m. session)	18	Eastern District of Virginia, case
19	JULIA WOOD, ESQ., (via Zoom)	19	number 1:23-cv-000108-LMB-JFA. The
1		20	location of this deposition is 1285
20			<u>-</u>
20 21	AXINN, VELTROP & HARKRIDER LLP	21	Avenue of the Americas, New York, New
	AXINN, VELTROP & HARKRIDER LLP Attorneys for Defendant Google LLC	21 22	Avenue of the Americas, New York, New York. My name is Carlos Rivera
21		1	
21 22	Attorneys for Defendant Google LLC	22	York. My name is Carlos Rivera representing Veritext and I'm the
21 22 23	Attorneys for Defendant Google LLC 55 Second Street	22 23	York. My name is Carlos Rivera

2 (Pages 2 - 5)

	HIGHLY CO	. 11.1.	DENTIAL
	Page 278		Page 280
1	JOHN - HIGHLY CONFIDENTIAL	1	JOHN - HIGHLY CONFIDENTIAL
2	Q. Were you speaking to government	2	the government on August 9th. Is that
3	lawyers?	3	accurate?
4	A. That is correct.	4	MR. VERNON: Objection, scope.
5	MR. VERNON: Objection, scope.	5	A. Yes, that is correct.
6	Q. So you and government lawyers	6	Q. And I think we can agree that those
7	spoke?	7	are topics that you were asked about, most of
8	A. That's correct.	8	them by the government lawyer today, correct?
9	MR. VERNON: Objection, scope.	9	A. Some of them, yes.
10	Q. Was it a virtual conversation?	10	Q. And those were topics that you had
11	MR. VERNON: Objection to scope.	11	previously discussed with the government,
12	A. That's correct.	12	correct?
13	Q. So you I would call that a	13	A. Some of them
14	meeting.	14	MR. VERNON: Objection, scope.
15	A. Okay.	15	Q. When you say "Some of them," which
16	Q. But so you met with the government	16	of the topics here that you recall discussing
17	lawyers, that was on August 9th of 2023?	17	with the government lawyer on August 9, 2023,
18	MR. VERNON: Objection, scope.	18	after you knew that there was a possibility
19	Q. And your testimony now is that you	19	you would be deposed?
20	can't remember whether you learned you would	20	A. Publisher ad server and the
21	be the deponent on behalf of Microsoft before	21	monetized SSP and other SSPs, AdX
22	or after that meeting; is that accurate?	22	competition, AdX.
23	A. Let me clarify. I knew there was a	23	MR. VERNON: Sorry. Objection,
24	possibility that I would be deposed, but the	24	scope.
25	confirmation of the deposition was after the	25	Q. All right. I would like to hand
	Page 279		Page 281
1	JOHN - HIGHLY CONFIDENTIAL	1	JOHN - HIGHLY CONFIDENTIAL
2	interview.	2	you what we will mark as Exhibit 17.
3	Q. Understood.	3	MS. SPEVACK: Exhibit 17.
4	Your cheat sheet offers the topics	4	(MSFT Exhibit 17, Document
5	that you discussed with the government in	5	entitled, "Xandr in Microsoft, Product
6	between being notified that there was a	6	Synergies Sneak Peak," Bates Nos.
7	possibility of a deposition and afterwards	7	MSFT-LIT-0000003426 through
8	when you were confirmed to be the deponent.	8	MSFT-LIT-0000003429, marked for
9	The topics are as follows:	9	identification, this date.)
10	Competition between Invest DSP and	10	Q. Now, Mr. John, you recognize this
11	Google's DSP.	11	as a Xandr business record prepared on, dated
12	Publisher's ad server options,	12	November 2022, in the ordinary course of
13	including self-supply and Monetize ad servers	13	business?
14	competition with Google's ad server.	14	A. Yes, I do.
15	Competition between Monetize SSP	15	Q. Okay. Now earlier when government
16	and other SSPs/ad exchanges, including AdX.	16	counsel asked you about when Xandr competed
17	Invest DSP's take rates.	17	with Google and asked you why Xandr did not
18	Impact of header bidding on Invest	18	tend to win that competition, the first
19	DSP.	19	reason you said was that Xandr didn't have
20	Microsoft Audience Networks'	20	first-party properties.
21	competition among ad networks.	21	Do you recall saying that?
22	And importance of scale to ad	22	MR. VERNON: Objection,
23	exchanges.	23	mischaracterizes.
24	Those are the topics that your	24	A. The question was about specific to
25	cheat sheet reflects that you discussed with	25	the publisher ad server on display, and my

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	HIGHLY CO	N1'1.	DENTIAL
	Page 282		Page 284
1	JOHN - HIGHLY CONFIDENTIAL	1	JOHN - HIGHLY CONFIDENTIAL
2	answer was about demand.	2	SSPs wide array of publisher inventory,
3	Q. Right. But before you spoke about	3	right?
4	demand and we will get to demand, you said	4	A. I do not.
5	Xandr didn't have first-party properties. Do	5	Q. And you don't dispute that when the
6	you remember saying that?	6	document says, Microsoft Audience Network
7	A. Correct.	7	demand originated from Bing search and
8	Q. Okay. Is it the case that	8	Microsoft audience Microsoft Audience
9	Microsoft has first-party properties?	9	Network audience buys, that it's describing
10	A. That is correct.	10	this as unique demand to which Xandr's
11	Q. And Microsoft has now acquired	11	publishers will have access following the
12	Xandr, right?	12	Microsoft/Xandr acquisition?
13	A. That is correct.	13	A. That is correct.
14	Q. Now, you did also mentioned	14	Q. Okay. So you're bringing the
15	availability of demand, and I would ask you	15	demand that Microsoft has access to as a
16 17	just to look at the document in front of you dated November 2022.	16	result of its search advertising to Xandr's
18		17 18	publishers through Xandr Monetize, correct? A. Xandr publishers are one of the
19	A. Uh-huh, yes.Q. And if you looked at the left-hand	19	publishers. MSAN is and will continue to
20	side of the page, this is a Xandr document,	20	provide the demand to outside of Monetize as
21	after the acquisition by Microsoft and it	$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$	well.
22	refers to "Unique Demand." Do you see that?	22	Q. Right. And while we're on the
23	A. That is correct.	23	topic of demand, you spoke earlier about how
24	Q. And if you look at "Unique Demand"	24	sophisticated publishers on the supply side
25	then there are four categories and the four	25	are partnering with Xandr and so you
	-		
1	Page 283 JOHN - HIGHLY CONFIDENTIAL	1	Page 285 JOHN - HIGHLY CONFIDENTIAL
2	categories are projects that Microsoft and	2	mentioned Axel Springer, right?
3	Xandr are working on. Do you see that?	3	A. That is correct.
4	A. That is correct.	4	Q. News Corp is one, right?
5	Q. And the first project is called	5	A. News Corp is not an Axel customer.
6	Microsoft Audience Network bidder	6	They're an SSP, but they're primarily Google
7	integration. Do you see that?	7	customer.
8	A. Yes, I do.	8	Q. Right, but they're a publisher that
9	Q. And in the "Primary Audience and	9	works with Xandr?
10	Benefit" column, listing the primary audience	10	A. As an SSP.
11	and benefits of the Microsoft Audience	11	Q. As an SSP, Hulu?
12	Network bidder integration, it says, Monetize	12	A. Hulu did not work with us.
13	SSP sellers will now get access to Microsoft	13	Q. How about CNN?
14	Audience Network demand originating from Bing	14	A. CNN as an SSP, not as an ad server
15	Search and Microsoft Audience Network	15	customer.
16	audience buys. Do you see that?	16	Q. How about Warner Media?
17	A. Yes, I do.	17	A. Warner Media did not use as an ad
18	Q. All right. And then it says,	18	server customer.
19	Microsoft Audience Network "buyers will be	19	Q. SSP?
20	able to access Monetize SSP's wide array of	20	A. SSP, that's correct.
21	publisher inventory."	21	Q. And Netflix, we've already talked
22	Do you see that?	22	about Netflix?
23	A. Yes, I do.	23	A. Correct.
24	Q. And you don't dispute that this	24	Q. Now, if you look down on the
25	Microsoft Xandr document refers to Monetize	25	left-hand side of the page, also in the

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	Page 286		Page 288
1	JOHN - HIGHLY CONFIDENTIAL	1	JOHN - HIGHLY CONFIDENTIAL
2	category of "Unique Demand" the fourth	2	that?
3	project it refers to, it is "Microsoft	3	MR. VERNON: About Outlook?
4	audience" sorry	4	Objection to form mischaracterizes and
5	MS. DUNN: Strike that.	5	beyond the scope.
6	Q. If you look at the next page, there	6	MS. DUNN: I'll rephrase.
7	is on the left-hand side of the page it says,	7	Q. Do you recall being asked some
8	"Unique Data." Do you see that?	8	questions by government counsel about
9	A. That's right.	9	Microsoft's view of the world in 2007?
10	Q. And the projects under "Unique	10	A. Today?
11	Data," there are four of them. You see that?	11	Q. No, he asked you questions about
12	A. Yes, I do.	12	2007, when he was talking about
13	•	13	A. That's correct, during the talk,
	Q. And the fourth project is "Sharing	1	——————————————————————————————————————
14	device graphs," and the "Brief Description"	14	yeah.
15	says, "Unifying Microsoft's user graph and	15	Q. This is the Microsoft website
16	the Xandr Graph to increase graph scale." Do	16	today, as it appears today, and this is the
17	you see that?	17	web page that talks about Xandr and premium
18	A. Yes, I do.	18	programmatic advertising. Do you see that in
19	Q. So my question to you, sir, is:	19	front of you? If you look at the URL at the
20	Microsoft's user graph created using the	20	top it says
21	first-party data available to it?	21	A. The URL, correct.
22	A. That is correct, based on the	22	Q "Xandr programmatic premium
23	consented signal data from the users, yes.	23	advertising"?
24	Q. And is the Xandr Graph created	24	A. That's correct.
25	using third-party data available to it?	25	Q. And Microsoft, this is on
	Page 287		Page 289
1	Page 287 JOHN - HIGHLY CONFIDENTIAL	1	Page 289 JOHN - HIGHLY CONFIDENTIAL
_	JOHN - HIGHLY CONFIDENTIAL	_	JOHN - HIGHLY CONFIDENTIAL
2	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented	2	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling
2 3	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers,	2 3	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help
2 3 4	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes.	2 3 4	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest
2 3 4 5	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right.	2 3 4 5	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms
2 3 4 5 6	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the	2 3 4 5 6	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of
2 3 4 5 6 7	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources.	2 3 4 5 6 7	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns
2 3 4 5 6 7 8	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right.	2 3 4 5 6 7 8	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged
2 3 4 5 6 7 8 9	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is	2 3 4 5 6 7 8 9	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that
2 3 4 5 6 7 8 9 10	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to	2 3 4 5 6 7 8 9	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people
2 3 4 5 6 7 8 9 10	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and	2 3 4 5 6 7 8 9 10	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you?
2 3 4 5 6 7 8 9 10 11 12	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to	2 3 4 5 6 7 8 9 10 11 12	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree.
2 3 4 5 6 7 8 9 10 11 12 13	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right?	2 3 4 5 6 7 8 9 10 11 12 13	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to
2 3 4 5 6 7 8 9 10 11 12 13 14	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the	2 3 4 5 6 7 8 9 10 11 12 13	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at what we will mark as Exhibit 18.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud? MR. VERNON: Objection, leading,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at what we will mark as Exhibit 18. (MSFT Exhibit 18, Document	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud? MR. VERNON: Objection, leading, also scope.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at what we will mark as Exhibit 18. (MSFT Exhibit 18, Document entitled, "Reach audiences across	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud? MR. VERNON: Objection, leading, also scope. A. Yes.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at what we will mark as Exhibit 18. (MSFT Exhibit 18, Document entitled, "Reach audiences across screens with premium advertising," marked for identification, this date.)	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud? MR. VERNON: Objection, leading, also scope. A. Yes. Q. If you look at page 2 of the printout from Microsoft's website, it says
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at what we will mark as Exhibit 18. (MSFT Exhibit 18, Document entitled, "Reach audiences across screens with premium advertising," marked for identification, this date.) Q. Now, you were asked by the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud? MR. VERNON: Objection, leading, also scope. A. Yes. Q. If you look at page 2 of the printout from Microsoft's website, it says that premium advertising is available for a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	JOHN - HIGHLY CONFIDENTIAL A. Again, based on the consented signals with the white listed publishers, yes. Q. Right. A. And also the Xandr graph has the licensed data from third-party sources. Q. Right. So what this document is saying is that Microsoft is working on a project to unify Microsoft's first-party data and Xandr's third-party data that is available to both, right? A. To join the data to scale the audience, correct. Q. Correct. I would like you to look now at what we will mark as Exhibit 18. (MSFT Exhibit 18, Document entitled, "Reach audiences across screens with premium advertising," marked for identification, this date.)	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	JOHN - HIGHLY CONFIDENTIAL Microsoft's website and it's telling advertisers and publishers that they can help solve your buyers and sellers greatest advertising challenges with Xandr's platforms that enable you to unlock the full value of running programmatic advertising campaigns across screens and tapping into engaged audiences. And so you don't disagree that this is what Microsoft is telling people today, do you? A. I don't disagree. Q. And if you look down, it refers to the Xandr's end-to-end platforms? A. That is correct. Q. And would you do agree that having an end-to-end platform helps prevent fraud? MR. VERNON: Objection, leading, also scope. A. Yes. Q. If you look at page 2 of the printout from Microsoft's website, it says

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	month con	. 11.1.	DENTIAL
	Page 290		Page 292
1	JOHN - HIGHLY CONFIDENTIAL	1	JOHN - HIGHLY CONFIDENTIAL
2	A. Yes, that is correct.	2	says "across digital formats," what formats
3	Q. And it lists "connected TV, display	3	it's talking about?
4	and native." Do you see that?	4	A. It's display, audio, video, CTV.
5	A. Yes, I do.	5	Q. All right. I would like to show
6	Q. And it doesn't say those are, you	6	you, sir, our Tab 53.
7	know, aimed at different people, it just	7	(MSFT Exhibit 19, Document
8	talks about all three of those there, right?	8	entitled, "Xandr in Microsoft Product
9	MR. VERNON: Objection, vague.	9	Synergy Slides - Phase 2 - For buyers -
10	A. Can you clarify? What do you mean	10	Talk Track," Bates Nos.
11	by that?	11	MSFT-LIT-0000004160 through
12	Q. Microsoft is telling people through	12	MSFT-LIT-0000004163, marked for
13	its website that you can reach your desired	13	identification, this date.)
14	audience with one of the world's largest	14	MS. SPEVACK: Exhibits 19.
15	marketplaces; it's talking about Xandr,	15	MS. DUNN: Exhibit 19.
16	right?	16	Q. This is a document
17	A. Yes, that is correct.	17	MR. VERNON: Can you wait until we
18	Q. And it specifically mentions that	18	get copies?
19	that goes from connected TV to display to	19	MS. COLE: And the first page?
20	native. You see that?	20	Metadata?
21	A. Right. You can reach the audience	21	MS. DUNN: Yes, the first page is
22	through one of those marketplaces, correct.	22	metadata. This is a document produced
23	Q. Right.	23	by Microsoft to Google and the date is
24	And it specifically advertises, if	24	November 9, 2022, on this document. It
25	you look down, there is a picture of the TV	25	follows the Microsoft/Xandr acquisition
	Page 291		Page 293
1	JOHN - HIGHLY CONFIDENTIAL	1	JOHN - HIGHLY CONFIDENTIAL
2	show "Stranger Things," and you can see in	2	and it is a talk track for buyers meant
3	the top left-hand corner that that's being	3	to accompany slides.
4	shown on Netflix. Do you see that?	4	Q. Do you have any reason to doubt
5	A. Yes.	5	that this talk track for buyers was prepared
6	Q. And today Microsoft is touting, you	6	in the ordinary course of business by
7	can see on page 3, its exclusive technology	7	Microsoft employees?
8	and sales partnership with Netflix. Do you	8	A. I don't know.
9	see that?	9	Q. All right. One of the things that
10	A. Yes, I do.	10	you talked about in your testimony with the
11	Q. It says, "all CTV advertising	11	government attorney was demand, and so when
12	served on Netflix is exclusively available	12	we're talking about demand, just to be clear,
13	through the Microsoft advertising platform."	13	you mean advertisers are the demand side,
14	Do you see that?	14	right?
15	A. Yes, I do.	15	A. That is correct.
16	Q. And then if you go to the part at	16	Q. And the point of the advertisers in
17	the bottom of the "Advertiser Platform,"	17	the demand is so that people can be reached
18	today what Microsoft is telling people who	18	and see the ads, right?
19 20	may be interested in its products that it has	19 20	MR. VERNON: Objection, leading.
20	a robust data marketplace with access to	20	A. That is one unique talk point, audience reach, yes.
$\begin{vmatrix} 21\\22\end{vmatrix}$	premium supply across digital formats and	21 22	•
44	flexible ways to transact.		Q. Right.
	Do you see that?	172	And it you look at what it cave in
23	Do you see that?	23	And if you look at what it says in
	Do you see that? A. Yes, I do. Q. And do you happen to know when it	23 24 25	And if you look at what it says in the buyer talk track under slide 4, it talks about the "Microsoft Advertising

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1 JOHN - HIGHLY CONFIDENTIAL 2 Marketplaces." Do you see that? 3 A. Yes, uh-huh, yes. 4 MR. VERNON: Show us where you are. 5 MS. DUNN: I'm on — 6 MR. VERNON: Never mind. I'm good. 7 Q. And it describes Microsoft 8 advertising ecosystem as expansive. Do you see that? 10 A. Which paragraph? The second one? 11 Advertising Marketplaces" and it says. 12 Advertising Marketplaces and it says. 13 "Microsoft advertising's expansive ecosystem 14 ecosystem." Do you see that? 15 A. Yes, I do. 16 Q. And Microsoft's expansive ecosystem 17 allows you access to over one billion people. 18 Do you see where it says that? 19 A. Yes, I do. 20 Q. Do you happen to know that a billion people is a seventh of the population on earth? 21 a A. Yes, I do. 22 MR. VERNON: Objection, mischaracterizes native, display — 23 A. Yes, I do. 24 MS. COLE: That's beyond the scope. 25 Q. Now, do you have any reason to 26 Do earth? 27 Marketplaces." And it says. 28 MS. SPEVACK: It will be 29 Exhibit 20, Natively produced 29 Oxow, it then says, "Here's a closer of look at the inventory available." And it mentions PromotelQ which is the retail outfit in mentions promotelQ which is the reta				
2 Marketplaces." Do you see that? 3 A. Yes, uh-huh, yes. 4 MR. VERNON: Show us where you are. 5 MS, DUNN: I'm on 6 MR. VERNON: Never mind. I'm good. 7 Q. And it describes Microsoft as devertising ecosystem as expansive. Do you see that? 10 A. Which paragraph? The second one? 11 Q. It's on slide 4, "Microsoft advertising Marketplaces" and it says, 13 "Microsoft advertising sexpansive ecosystem allows you access to over one billion people. 13 Do you see where it says that? 14 A. Yes, I do. 15 Q. Do you happen to know that a 21 billion people is a seventh of the population or earth? 16 Q. Now, it then says. "Here's a closer 1 look at the inventory available." And it mentions Microsoft search network, 7 Microsoft sowned and operated sites that we went through, Microsoft also wants buyers to 14 know that Xandr is one of the largest global programmatic marketplaces. Do you see that? 20 Q. Now if you look at slide 5 in the buyers tak track. It says, "We're excited 19 to be working as part of Microsoft to create 20 new valuable opportunities for advertisers. 2 Microsoft, working as part of Microsoft to create 20 new valuable opportunities for advertisers. 2 Microsoft working as part of Microsoft to create 20 new valuable opportunities for advertisers. 2 Microsoft working as part of Microsoft to create 20 new valuable opportunities for advertisers. 2 Microsoft, value of the largest global 2 momentum across CTV, gaming, shopper marketing and talking to the buyers taket, it says, alt right? 3 A. Yes, I do. 4 Merrosoft was devertisers. 5 A. Yes, I do. 6 Merrosoft was deventised and the witnesses and 2 different formats. 6 Merrosoft was devertisers were able to 12 marketing, native and display. Tight? 7 MR. VERNON: Objection, mischaracterizes native, display. To 2. It at laking to the buyers taket glos, and it says, 12 davertiseng, native and display. To 2. It at thing to the buyers taket and read across different audiences and 12 different formats. 12 Microsoft advertising is expansive cosystem and tays. 13 Microsoft ad		E		· · · · · · · · · · · · · · · · · · ·
3 A. Yes, uh-huh, yes. 4 MR. VERNON: Show us where you are. 5 MS. DUNN: Thm on 6 MR. VERNON: Never mind. I'm good. 7 Q. And it describes Microsoft advertising cooxystem as expansive. Do you see that? 10 A. Which paragraph? The second one? 11 Q. It's on slide 4, "Microsoft 12 Advertising Kexpansive ecosystem." Do you see that? 12 Advertising sexpansive ecosystem." Do you see that? 13 Microsoft advertising's expansive ecosystem. 14 ecosystem." Do you see that? 16 Q. And Microsoft's expansive ecosystem allows you access to over one billion people. 18 Do you see where it says that? 19 A. Yes, I do. 10 Do you happen to know that a 21 billion people is a seventh of the population 22 on earth? 19 A. Yes, I do. 10 MS. COLE: That's beyond the scope. 25 Q. Now, do you have any reason to 20 doubt that this is true? 11 JOHN - HIGHLY CONFIDENTIAL 2 doubt that this is true? 12 doubt that this is true? 13 A. I do not. 14 Q. Now, it then says. "Here's a closer 15 look at the inventory available." And it mentions Microsoft and document, PowerPoint presentation 2 entitled, "Welcome to Microsoft and 2 Q. Now, do upon have any reason to 14 know that Xandr is one of the largest global 15 programmatic marketplaces. Do you see that? 11 that we talked about. Do you see that? 12 A. Yes, I do. 13 Q. And Microsoft also wants buyers to 14 know that Xandr is one of the largest global 15 programmatic marketplaces. Do you see that? 16 A. Yes, I do. 17 Q. Now if you look at slide 5 in the 20 buyers talk track. It says, "We're excited 21 to the working as part of Microsoft to create 22 new valuable opportunities for advertisers. 24 linvest DSP as your strategic partner to buy 21 for the working as part of Microsoft to create 20 new valuable opportunities for advertisers. 24 linvest DSP as your strategic partner to buy 21 for the working as part of Microsoft to create 23 and native - further strengthening Xandr and 24 linvest DSP as your strategic partner to buy 25 about is, at least, CTV, gaming, shopper marketing and the staken is at leas				
4 Chamels and formats, what they're talking about is, at least, CTV, gaming, shopper marketing, native and display, right? 7 Q. And it describes Microsoft a advertising ecosystem as expansive. Do you see that? 10 A. Which paragraph? The second one? 12 Advertising Marketplaces" and it says, 13 "Microsoft advertising's expansive ecosystem allows you access to over one billion people. 14 A. Yes, I do. 15 Q. Do you see where it says that? 16 Q. Do you shappen to know that a 21 billion people is a seventh of the population on earth? 17 A. Yes, I do. 18 Q. Do you happen to know that a 21 billion people is a seventh of the population on earth? 18 A. Yes, I do. 19 Q. Now, do you have any reason to 19 IOHN - HIGHLY CONFIDENTIAL 2 doubt that this is true? 2 doubt that this is true? 2 doubt that this is true? 3 A. I do not. 4 Q. Now, it then says, "Here's a closer 1 look at the inventory available." And it mentions Microsoft search network, 9 which includes MSN, Outlook and Edge and it mentions PromotelQ which is the retail ouffit it that we talked about. Do you see that? 19 Q. Now if you look at slide 5 in the buyers tak track. It says, "We're eaking, native and display, right? 10 MR. VERNON: Objection, marketerizes native, display - 9 Q. It that what it says? 10 A. It says advertisers that they can reach people through CTV, gaming, shopper marketing and it reach across different audiences and ifferent formats. 12 different formats. 12 different formats. 12 different formats. 12 different formats. 13 Q. Right. And it's telling buyers, advertisers that they can reach people through CTV, gaming, shopper marketing and native a result of Microsoft and extension of the largest global programmatic marketplaces. 14 document, PowerPoint presentation entitled, "Welcome to Microsoft advertisers. 15 Microsoft advertisers. 15 Microsoft advertisers. 16 document, PowerPoint presentation entitled, "Welcome to Microsoft or identification, this date.) 17 MSFT-LIT0000003234 hibrough 18 MSFT-LIT0000003234 hibrough 19 MSFT-LIT000003254, m		•	2	
5 MS. DUNN: I'm on 6 MR. VERNON: Never mind. I'm good. 7 Q. And it describes Microsoft 8 advertising ecosystem as expansive. Do you see that? 10 A. Which paragraph? The second one? 11 Q. It son slide 4, "Microsoft 12 Advertising Marketplaces" and it says. 13 "Microsoft advertising's expansive 14 ecosystem." Do you see that? 15 A. Yes, I do. 16 Q. And Microsoft's expansive ecosystem 17 allows you access to over one billion people. 18 Do you see where it says that? 19 A. Yes, I do. 20 Q. Do you happen to know that a 21 billion people is a seventh of the population 22 on earth? 23 A. Yes, I do. 24 MS. COLE: That's beyond the scope. 25 Q. Now, do you have any reason to 26 (MSFT Exhibit 20, Natively produced) 27 JOHN - HIGHLY CONFIDENTIAL 28 doubt that this is true? 31 A. I do not. 4 Q. Now, it then says, "Here's a closer 4 John with then says, "Here's a closer 5 look at the inventory available." And it mentions Microsoft saurch network, which includes MSN, Outlook and Edge and it mentions PromotelQ which is the retail outfit in that we talked about. Do you see that? 14 know that Xandr is one of the largest global programmatic marketplaces. Do you see that? 16 A. Yes, I do. 17 Q. Now if you look at slide 5 in the buyers tak track. It says, "We're excited to be working as part of Microsoft to create 20 new valuable opportunities for advertisers. 21 With Microsoft, we're gaining significant 22 momentum across CTV, gaming, shopper marketing and it says. The second one? 22 in that what it says? 24 A. It al wat at what it says? 25 Q. It that what it says? 26 Q. Right. And it's telling buyers, advertisers were able to 11 reach across different audiences and different formats. 29 Q. Right. And it's telling buyers, advertisers that they can reach people to the reach across different audiences and 12 different formats. 20 Right. And it's says interes that they can reach people in a are sult of Microsoft and antive all as a result of Microsoft and antive all as a result of Microsoft and antive all as a result of Microsoft	3		3	• • •
6 MR. VERNON: Never mind. I'm good. 7 Q. And it describes Microsoft a advertising ecosystem as expansive. Do you see that? 10 A. Which paragraph? The second one? 11 Q. It's on slide 4, "Microsoft advertising's expansive and it says, 12 "Microsoft advertising's expansive and it says, 13 "Microsoft advertising's expansive and it says, 14 ecosystem." Do you see that? 15 A. Yes, I do. 16 Q. And Microsoft's expansive ecosystem allows you access to over one billion people. 18 Do you see where it says that? 19 A. Yes, I do. 20 Q. Do you happen to know that a 21 billion people is a seventh of the population 22 on earth? 23 A. Yes, I do. 24 MS. COLE: That's beyond the scope. 25 Q. Now, do you have any reason to 17 JOHN - HIGHLY CONFIDENTIAL 2 doubt that this is true? 26 A. It says advertisers were able to 18 different formats. 18 different formats. 19 Q. Nok, and it's telling buyers, advertisers that they can reach people in antive and in attive all as a result of Microsoft and 18 native all as a result of Microsoft and 18 native all as a result of Microsoft and 18 native all as a result of Microsoft and 18 native all as a result of Microsoft and 18 native all as a result of Microsoft and 19 population 20 population 21 population 22 doubt that this is true? 27 population 22 doubt that this is true? 28 population 29 popu	4			•
7 MR. VERNON: Objection, mischaracterizes native, display — 9 Q. It that what it says? 10 A. Which paragraph? The second one? 11 A. Which paragraph? The second one? 12 Advertising Marketplaces" and it says, 13 "Microsoft advertising's expansive 14 ecosystem." Do you see that? 15 A. Yes, I do. 16 Q. And Microsoft's expansive ecosystem allows you access to over one billion people. 17 A. Yes, I do. 18 Do you see where it says that? 19 A. Yes, I do. 20 Q. Do you happen to know that a 21 billion people is a seventh of the population 22 on earth? 22 MS. COLE: That's beyond the scope. 23 A. Yes, I do. 24 MS. COLE: That's beyond the scope. 25 Q. Now, do you have any reason to 26 Now, it then says, "Here's a closer is microsoft's earch network, which includes MSN. Qutlook and Edge and it mentions PromotelQ which is the retail outfit in that we talked about. Do you see that? 16 A. Yes, I do. 17 Q. Now if you look at slide 5 in the buyers talk track. It says, "We're excited in momentum across CTV, gaming shopper marketing and antive all as a result of Microsoft parketing and interest that they can reach people through CTV, gaming, shopper marketing and interest that they can reach people through. Microsoft and its ays. 18 A. That is correct. 19 (O. Kay. July 18 A. That is correct. 20 (O. Now, do you have any reason to 21 JOHN - HIGHLY CONFIDENTIAL document, PowerPoint presentation entitled, "Welcome to Microsoft Adderence Network, which includes MSN. Qutlook and Edge and it mentions PromotelQ which is the retail outfit in that we talked about. Do you see that? 18 A. Yes, I do. 19 (A. Yes, I do. 20 (D. Down down and parated sites that we went through, Microsoft Audience Network, which includes MSN. Qutlook and Edge and it mentions PromotelQ which is the retail outfit in mentions Pro	5			
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9 see that? 1 A. Which paragraph? The second one? 11 Q. It's on slide 4, "Microsoft 12 Advertising Marketplaces" and it says, 13 "Microsoft advertising's expansive 14 ecosystem." Do you see that? 15 A. Yes, I do. 16 Q. And Microsoft's expansive ecosystem 17 allows you access to over one billion people. 18 Do you see where it says that? 19 A. Yes, I do. 10 Q. Do you happen to know that a 11 billion people is a seventh of the population 12 on earth? 13 A. Yes, I do. 14 MS. COLE: That's beyond the scope. 15 Q. Now, do you have any reason to 16 Q. Now, do you have any reason to 17 JOHN - HIGHLY CONFIDENTIAL 18 doouth that this is true? 19 JOHN - HIGHLY CONFIDENTIAL 20 doubt that this is true? 21 doubt that this is true? 22 doubt that this is true? 23 A. I do not. 24 Q. Now, it then says, "Here's a closer 25 look at the inventory available." And it mentions PromotelQ which is the retail outfit that we talked about. Do you see that? 10 mentions PromotelQ which is the retail outfit that we talked about. Do you see that? 16 A. Yes, I do. 17 Q. Now if you look at slide 5 in the buyers talk track. It says, "We're excited to be working as part of Microsoft to create new valuable opportunities for advertisers. 10 new valuable opportunities for advertisers. 11 With Microsoft, we're gaining significant momentum across CTV, gaming shopper marketing and the verification, this date.) 10 (MSFT Exhibit 20, Natively produced document, PowerPoint presentation entitled, "Xandr As ServerXupplement," and the witnesses and different formats. 12 different formats. 14 advertisers that they can reach people through different formats. 15 darvertisers that they can reach people througe different formats. 17 A. It and it ease a result of Microsoft and the vitive advertisers that they can reach people and reveil and review seal and the vitive all s	7			· ·
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75 (Pages 294 - 297)

	Page 318		Page 320
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$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$		2 3	STATE OF)):ss
4	compared to the display advertising. Q. Okay.	4	COUNTY OF)
5	MR. VERNON: Could we go off the	5	COUNTY OF
6	record. Just give me two minutes. I	6	
7	just want to make sure I asked all the	7	I, BENNEASER JOHN, the witness
8	questions.	8	herein, having read the foregoing
9	THE VIDEOGRAPHER: The time is	9	testimony of the pages of this
10	6:19 p.m. and we're off the record.	10	deposition, do hereby certify it to be a
11	(A brief recess was taken.)	11	true and correct transcript, subject to
12	THE VIDEOGRAPHER: The time is	12	the corrections, if any, shown on the
13	6:21 p.m. and we're back on the record.	13	attached page.
14	Q. Do you have that document in front	14	andened page.
15	of you that we were just looking at?	15	
16	A. Yes, I do.	16	BENNEASER JOHN
17	Q. And the one that refers to the	17	BEITIERISERVOTIT
18	"marketplace lock-in in Display." Do you see	18	Sworn and subscribed to before
19	that?	19	me, this day of
20	A. Yes, I do.	20	, 2023.
21	Q. Earlier counsel asked you some	21	, 2025.
22	questions about meetings between the DOJ and		Notary Public
23	Microsoft with Xandr. Do you remember that?	23	Troubly I don't
24	A. Yes, I do.	24	
25	Q. Did Microsoft or Xandr create this	25	
1	Dogg 210		Dogg 221
1	Page 319 IOHN - HIGHLY CONFIDENTIAL	1	Page 321
1 2	JOHN - HIGHLY CONFIDENTIAL	1 2	Ţ.
2	JOHN - HIGHLY CONFIDENTIAL document that talks about marketplace lock-in	2	Page 321 CERTIFICATE STATE OF NEW YORK)
2 3	JOHN - HIGHLY CONFIDENTIAL document that talks about marketplace lock-in for display for purposes of showing it to the	2	CERTIFICATE
2 3 4	JOHN - HIGHLY CONFIDENTIAL document that talks about marketplace lock-in for display for purposes of showing it to the DOJ?	2 3 4	CERTIFICATE STATE OF NEW YORK)
2 3 4 5	JOHN - HIGHLY CONFIDENTIAL document that talks about marketplace lock-in for display for purposes of showing it to the DOJ? A. Absolutely not.	2 3 4 5 6	CERTIFICATE STATE OF NEW YORK) : ss. COUNTY OF NEW YORK) I, Jennifer Ocampo-Guzman, a
2 3 4 5 6	JOHN - HIGHLY CONFIDENTIAL document that talks about marketplace lock-in for display for purposes of showing it to the DOJ? A. Absolutely not. MR. VERNON: Okay. With that, and	2 3 4 5 6 7	CERTIFICATE STATE OF NEW YORK) : ss. COUNTY OF NEW YORK) I, Jennifer Ocampo-Guzman, a Certified Realtime Shorthand Reporter and
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